

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

TAMMY SHERRELL WILSON,

Plaintiff,

v.

CIVIL ACTION NO. 3:18-0890

WEXFORD MEDICAL and ADMINISTRATION/STAFF
AT FAULT, (1990 through present);
WARDEN LORI NOHE, in her personal capacity;
J.D. SALLAZ, Acting Warden of Lakin Correctional Center,
in his official capacity;
SUSAN BIRDSONG, in both her personal and official capacities;
CORRECTIONAL OFFICER CHERYL SPENCER,
in her personal capacity;
NATHAN BALL, in both his personal and official capacities;
BETSY JIVIDEN, Commissioner of the DCR, in her official capacity,
CANDY DAVIS, Aramark supervisor, in her personal capacity;
C.J. RYDER, Director of Inmate Services and Activities at
Lakin Correctional Center;
HEIDI BEEGLE, Wexford Medical

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny the Motion to Dismiss of Lori Nohe, as moot (ECF No. 114). Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **DENIES** the Motion of Lori Nohe, as moot (ECF No. 114), consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: April 29, 2020

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE